

## MINUTES

### MONTANA HOUSE OF REPRESENTATIVES 64th LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON JUDICIARY

**Call to Order:** Chair Gerald (Jerry) Bennett, on February 9, 2015 at 9:00 A.M., in Room 137 Capitol

#### ROLL CALL

**Members Present:**

Rep. Gerald (Jerry) Bennett, Chair (R)  
Rep. Virginia Court, Vice Chair (D)  
Rep. Alan Doane, Vice Chair (R)  
Rep. Seth Berglee (R)  
Rep. Jennifer Eck (D)  
Rep. Clayton Fiscus (R)  
Rep. Stephanie Hess (R)  
Rep. Ellie Boldman Hill (D)  
Rep. Kathy Kelker (D)  
Rep. Sarah Laszloffy (R)  
Rep. Margaret (Margie) MacDonald (D)  
Rep. Theresa Manzella (R)  
Rep. Nate McConnell (D)  
Rep. G. Bruce Meyers (R)  
Rep. Matthew Monforton (R)  
Rep. Carolyn Pease-Lopez (D)  
Rep. Zac Perry (D)  
Rep. Andrew Person (D)  
Rep. Randall Pinocci (R)  
Rep. Keith Regier (R)  
Rep. Kirk Wagoner (R)

**Members Excused:** None

**Members Absent:** None

**Staff Present:** McKenzie Chambers, Committee Secretary  
Helen Thigpen, Legislative Branch

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Hearing & Date Posted: HB 297, 2/4/2015; HB 333, 2/4 2015; HB 344, 2/4/2015; HB 345, 2/4/2015

00:00:50 Rep. Monforton  
00:01:18 Chair J. Bennett

### **HEARING ON HB 297**

#### **Opening Statement by Sponsor:**

00:01:59 Rep. Virginia Court (D), HD 50, opened the hearing on HB 297, Prohibit texting and cell phone use while driving.

#### **Proponents' Testimony:**

00:09:06 Lori Byron, Self  
00:12:21 Leona Schneemann, Self  
00:20:47 Bob Gilbert, Montana School Bus Contractors Association (MSBCA) and Montana Tow Trucks Association (MTTA)  
00:23:26 Jason Hildenstab, Operations Major, Montana Highway Patrol (MHP)  
00:24:54 Spook Stang, Motor Carriers of Montana (MCM)  
00:27:03 Aidan Myhre, AT&T  
00:28:04 Kiely Keane, Montana Medical Association (MMA)  
00:28:43 Ed Bartlett, City of Billings and Billings Chamber of Commerce  
00:29:23 Jerry Williams, Montana Police Protective Association (MPPA)

#### **Opponents' Testimony:**

00:31:11 Robert Solomon, Self  
00:33:40 Darrell Harris, Self  
00:34:56 Mike Fellows, Montana Libertarian Party (MTLP)

**EXHIBIT(juh29a01)**

**Informational Testimony:** None

#### **Questions from Committee Members and Responses:**

00:36:47 Rep. Hess  
00:37:19 Jason Hildenstab, MHP  
00:37:50 Rep. Laszloffy  
00:38:39 Rep. Court  
00:38:56 Rep. MacDonald  
00:39:35 Jason Hildenstab, MHP  
00:40:10 Rep. MacDonald  
00:41:03 Jerry Williams, MPPA  
00:41:17 Chair J. Bennett  
00:41:23 Rep. MacDonald  
00:41:34 Rep. Court  
00:41:45 Rep. Wagoner  
00:42:36 Rep. Court  
00:42:48 Rep. Doane  
00:43:17 Rep. Court  
00:43:33 Rep. Doane  
00:43:40 Rep. Court  
00:43:53 Rep. Doane  
00:44:26 Jason Hildenstab, MHP  
00:45:09 Rep. Doane

00:45:12 Jason Hildenstab, MHP  
00:45:30 Rep. Doane  
00:45:48 Jason Hildenstab, MHP  
00:46:38 Rep. Person  
00:47:13 Jason Hildenstab, MHP  
00:48:22 Rep. Manzella  
00:49:29 Rep. Court  
00:50:12 Rep. Fiscus  
00:50:21 Chair J. Bennett  
00:50:28 Rep. Fiscus  
00:50:59 Rep. Court  
00:51:25 Rep. Fiscus  
00:52:06 Rep. Court  
00:52:23 Rep. Fiscus  
00:52:35 Rep. Court  
00:52:56 Rep. Meyers  
00:53:22 Jason Hildenstab, MHP

**Closing by Sponsor:**

00:54:20 Rep. Court

**HEARING ON HB 333****Opening Statement by Sponsor:**

00:58:37 Rep. Nicholas Schwaderer (R), HD 14, opened the hearing on HB 333,  
Generally revise laws related to publicly operated cameras.

**Proponents' Testimony:**

01:04:29 Niki Zupanic, Montana ACLU  
01:07:18 Mike Fellows, Montana Libertarian Party (MTLP)

**Opponents' Testimony:**

01:08:01 Jon Bennion, Deputy Attorney General/Legislative Liaison, Office of the Attorney  
General (AG), Department of Justice (DOJ)  
01:09:37 Larry Epstein, Montana County Attorneys Association (MCAA), Montana  
Association of Chiefs of Police (MACOP) and Montana Police Protective  
Association (MPPA)  
01:11:47 John MacDonald, City of Missoula and representing City Attorney Jim Nugent  
and Police Chief Mike Brady

**Informational Testimony:**

01:13:46 Dan Villa, Budget Director, Office of Budget and Program Planning (OBPP),  
Governor's Office

**Questions from Committee Members and Responses:**

01:14:16 Rep. Wagoner  
01:14:46 Rep. Schwaderer  
01:16:21 Rep. Wagoner  
01:16:38 Rep. Schwaderer  
01:17:08 Rep. Kelker

01:17:49 Chair J. Bennett  
 01:18:06 Rep. Kelker  
 01:18:33 Rep. Schwaderer  
 01:18:39 Rep. Kelker  
 01:18:53 Rep. Schwaderer  
 01:18:58 Rep. Kelker  
 01:19:11 Rep. Schwaderer  
 01:21:24 Rep. Meyers  
 01:21:57 Rep. Schwaderer  
 01:22:36 Rep. MacDonald  
 01:23:17 Rep. Schwaderer  
 01:24:08 Rep. McConnell  
 01:24:37 Rep. Schwaderer  
 01:24:42 Rep. McConnell  
 01:24:51 Rep. Schwaderer

**Closing by Sponsor:**

01:25:31 Rep. Schwaderer  
  
 01:26:39 Chair J. Bennett  
  
 01:26:55 Recess  
 01:40:40 Reconvened  
  
 01:40:41 Chair J. Bennett

**HEARING ON HB 344**

**Opening Statement by Sponsor:**

01:41:37 Rep. Daniel Zolnikov (R), HD 45, opened the hearing on HB 344, Generally prohibit governmental use of license plate scanners.

**Proponents' Testimony:**

01:53:46 Niki Zupanic, Montana ACLU  
 01:55:35 Mike Fellows, Montana Libertarian Party (MTLP)

**Opponents' Testimony:**

01:56:57 Jon Bennion, Deputy Attorney General/Legislative Liaison, Office of the Attorney General (AG), Department of Justice (DOJ)  
 02:00:48 Larry Epstein, Montana Police Protective Association (MPPA) and Montana Association of Chiefs of Police (MACOP)

**Informational Testimony:**

02:03:46 Duane Williams, Administrator, Motor Carrier Services Division (MCS), Department of Transportation (MDT)

**Questions from Committee Members and Responses:**

02:04:39 Rep. Kelker  
 02:05:12 Rep. Zolnikov  
 02:05:56 Rep. Kelker

02:06:24 Rep. Zolnikov  
 02:07:45 Rep. Court  
 02:08:41 Rep. Zolnikov  
 02:09:47 Rep. Court  
 02:10:01 Rep. Berglee  
 02:10:46 Rep. Zolnikov  
 02:11:12 Rep. Eck  
 02:11:38 Jon Bennion, DOJ

**Closing by Sponsor:**

02:13:33 Rep. Zolnikov

**HEARING ON HB 345**

**Opening Statement by Sponsor:**

02:15:06 Rep. Daniel Zolnikov (R), HD 45, opened the hearing on HB 345, Revise privacy laws related to event data recorders and vehicles.

**Proponents' Testimony:**

02:20:26 John MacDonald, Alliance of Automobile Manufacturers  
 02:24:21 Niki Zupanic, Montana ACLU  
 02:25:43 Mona Jamison, General Motors (GM)  
 02:27:05 Mike Fellows, Montana Libertarian Party (MTLP)

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

02:27:55 Rep. Kelker  
 02:29:05 Rep. Zolnikov  
 02:31:23 Mona Jamison, GM  
 02:32:00 Rep. Doane  
 02:32:21 John MacDonald, Alliance of Automobile Manufacturers  
 02:32:47 Rep. Person  
 02:33:07 Rep. Zolnikov  
 02:33:11 Rep. Person  
 02:33:46 Rep. Zolnikov

**Closing by Sponsor:**

02:34:12 Rep. Zolnikov

02:35:01 Chair J. Bennett

**ADJOURNMENT**

Adjournment: 02:36:24

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McKenzie Chambers, Secretary

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Additional Documents:

**EXHIBIT**([juh29aad.pdf](#))